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Attorney for Defendant
COSTCO WHOLESALE CORPORATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * *

LISA YALOVICH, individually,)	CASE NO.: 2:20-cv-1263
)	
Plaintiff,)	
)	
vs.)	
)	
COSTCO WHOLESALE CORPORATION)	
d/b/a COSTO WHOLESALE; DOES 1)	
through 100 and ROE CORPORATIONS 1)	
through 100, inclusive,)	
)	
Defendants.)	

PETITION FOR REMOVAL OF CIVIL ACTION

TO: THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA:

Petitioner COSTCO WHOLESALE CORPORATION (hereinafter "Petitioner"), a Washington Corporation respectfully shows:

1. Petitioner is the Defendant in the above-entitled action;
2. On June 18, 2020, an action was commenced against Defendant/Petitioner

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1 COSTCO WHOLESALE CORPORATION and is now pending in the District Court, Clark
2 County, Nevada as Case No. A-20-816803-C. Process of Service was served upon
3 Defendant/Petitioner on June 23, 2020. Copies of the Complaint and Summons are attached
4 hereto as Exhibits "A" and "B" respectively;

5
6 3. This Notice is timely filed pursuant to 28 U.S.C. §1446(a) and (b);

7 4. Defendant/Petitioner is informed and believes and thereon alleges that there has
8 been no further proceedings or papers filed in said action;

9 5. This action is a civil action of which this Court has original jurisdiction under the
10 provisions of 28 U.S.C.A. §1332 and is one which may be removed to this Court by
11 Defendant/Petitioner pursuant to the provisions of 28 U.S.C.A. §1441(a)(b) in that it is a civil
12 action which allegedly arises out of a dispute involving diverse parties where the amount in
13 controversy exceeds the sum or value of \$15,000.00 due to the Plaintiff undergoing ongoing
14 medical care from a June 25, 2018 incident whereby she slipped and fell resulting in permanent
15 injuries with significant medical care. The injuries alleged by Plaintiff include acute, permanent
16 physical injuries. Plaintiff has claimed in excess of \$15,000.00 in damages in the Complaint
17 plus a claim of past and future pain and suffering, medical care and a possible wage loss. All of
18 this resulted after the subject accident and this Court has original jurisdiction over the claims set
19 forth in Plaintiff's Complaint.

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21
22 6. A copy of Defendant/Petitioner's Notice of Removal of the above-entitled action
23 to the United States District Court for the District of Nevada, together with copies of the
24 Summons and Complaint have been deposited with the Deputy Clerk in the Clerk's office for
25 the Eighth Judicial District Court of the State of Nevada on July 7, 2020. (See, copy of Notice
26 of Filing Petition for Removal attached hereto as Exhibit "C");
27
28

1 7. Copies of all pleadings and papers served upon Defendant in the above-entitled
2 action are filed herewith; and

3 8. This Petition is filed with the Court within thirty (30) days after receipt by
4 Defendant/Petitioner herein of the Complaint in the above-entitled action.
5

6 WHEREFORE, Defendant/Petitioner prays that the above-entitled action be removed
7 from the Eighth Judicial District Court of the State of Nevada in and for the County of Clark to
8 this Court.

9 DATED this 7 day of July, 2020.
10

11 OLSON CANNON GORMLEY & STOBERSKI
12



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14 MICHAEL A. FEDERICO, ESQ.
15 Nevada Bar No. 005946
16 9950 West Cheyenne Avenue
17 Las Vegas, Nevada 89129
18 Attorneys for Defendant
19 COSTCO WHOLESALE CORPORATION
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AFFIDAVIT OF MICHAEL A. FEDERICO, ESQ.

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

MICHAEL A. FEDERICO, ESQ., being first duly sworn deposes and says:

1. That your affiant is an attorney duly licensed to practice law in the State of Nevada and in the United States District Court, District of Nevada, and that he is a member of the law firm of OLSON CANNON GORMLEY & STOBERSKI, maintaining offices at 9950 West Cheyenne Avenue, Las Vegas, Nevada 89129;

2. That your affiant is the attorney for Defendant COSTCO WHOLESALE CORPORATION and makes this affidavit on behalf of the Defendant herein and that affiant has prepared and read the foregoing notice and knows the matters set forth and contained therein to be true and correct to the best of affiant's knowledge and belief;

3. Your affiant further states that on July 7, 2020, he caused to be filed with the Clerk of the Eighth Judicial District Court, a copy of Defendant's Petition for Removal of Civil Action of the above-entitled action to the United States District Court for the District of Nevada at Las Vegas, together with all exhibits, by depositing such copies with the Deputy Clerk in the Clerk's office for the Eighth Judicial District Court of the State of Nevada at the office of the County Clerk, Clark County Courthouse, Las Vegas, Nevada 89101; and

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 **E. JANE HOLLINGSWORTH**
Notary Public-State of Nevada
APPT. NO. 94-0792-1
My Appt. Expires February 28, 2021

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of July, 2020, I sent a true and correct copy of the above and foregoing **PETITION FOR REMOVAL OF CIVIL ACTION** to the parties listed below via the EFP Program, pursuant to the Court's Electronic Filing Service Order (Administrative Order 14-2) effective June 1, 2014, and or mailed:

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An Employee of Olson Cannon Gormley & Stoberski